G. R. S. IX-5]

Previous references.

File No. 158-19

1919.

Serial Nos. 102.

(Courts)

Later references.

cf. 157-28 (1-2)

GENERAL AND REVENUE SECRETARIAT.

P8

Serial Nos. Two

Part B for Feby. 1920.

SUBJECT.

Security from Head Munshis of various Special and Ex-magistrate Courts in the State

Ltr. to the Registrar, Chief Court No. 1866 dt. 14.2.20. Cancelling the rule of practice by which Security was furnished by the Head Ministerial Officers of every magisterial

Ram 2/2

W D 1250—GPB—30,000 28-1-19

1268 / 1

G. R. S. III—1] 1920.

GENERAL AND REVENUE SECRETARIAT.

(Court)

NOTES.

File No. 158 19

FILE HEADING.

Security from Head munshis of various special & City magistrates' courts in the state.

From

The Registrar, Chief Court of Mysore.

No. R.O.C. 1126/15 Dated 8/10 14 Jan 7. 1920 Received on 12-1-1920

Diary No. 268	Enclos. 1 Spare Copies. Nil	Serial No. 1

BRIEF ABSTRACT OF LETTER.

States that it is considered by most of the first magistrates (including the City magistrates) that a security of Rs 500/- should be obtained from each of the Head munshis of the first class magistrates courts (including the City magistrates courts) and a security of Rs 100/- from the Head munshis of Second class magistrates' courts & requests [illegible] sanction in the enclosed [illegible]

NOTES AND ORDERS.

Asst. Secretary's order on the paper under disposal — "Draft sanctioning" Nil P.M.

Submitted with a draft according for approval

3963 / 6-2-20

21/1/20

II Member approves P.M. 8/2

Approved

P. Rama Rao 9/2

7/2

NOTES—First Sheet.

2

G. R. S. III-2]

General and Revenue Secretariat.

1268

cls File No. 158 of 1919.

Serial No.	
2	To The Registrar, Chief Court. No. G. 18642. Dy 14th Feby 1920. Sanctions Rule of Practice re: the Security to be furnished by the Head of the Ministerial Officer of every Magistrate's Court.

B
19/2

19 FEB 1920

NOTE—Contn. sheet.

3

DIARY No. 12687.

R. O. C. No. 1126/ 1918 - 19.

1919-20
SECTION C6
FILE No. 158 — 19-20
SERIAL No.

CHIEF COURT OF MYSORE.

Bangalore, dated 8th January 1920.

From

G. Sreenivasa Iyer Esquire, B.A.,M.L.,
Registrar of the Chief Court of Mysore,
B a n g a l o r e.

To

C. S. Balasundaram Iyer Esquire, B.A.,
Chief Secretary to the Government of Mysore,
B a n g a l o r e.

CHIEF SECRETARIAT.
III
PROTECTION BRANCH.
12 JAN 1920

S i r,

I am directed to state that the District Magistrate of Bangalore (Mr. P. F. Bowring) brought to the notice of the Chief Court that the Head Munshi of the City Magistrate's Court in Bangalore who is in charge of the properties produced in Criminal Cases and valued sometimes at Rs.1000/- and above, has not furnished any security, and suggested that the Head Munshi should be required to furnish security in the sum of at least Rs.500/-.

2. With a view to ascertaining the practice in the several Criminal Courts of the State, the District Magistrates of all Districts were addressed in the matter; and they report that no security is at present demanded from the Head Ministerial Officer of any of the Magistrates' Courts. The District Magistrates of Shimoga, Tumkur, Mysore (Mr. Bowring) and Kolar, consider that it is desirable and necessary to demand security while the District Magistrates of Bangalore (Mr. S. Narayana

Rao,

4

(Mr. S. Narayana Rao, Assistant Commissioner in charge), Kadur, Hassan and Chitaldrug, see no necessity for such security, inasmuch as the provisions of Criminal Circular * Letter No.175 dated 31st March 1908 issued by the Chief Court, regarding the custody of moneys and valuable properties that come to the possession of Criminal Courts, provide in their opinion adequate safeguards in the matter.

* Copy enclosed for ready reference.

3. Though in Criminal as in Civil Courts the presiding Judges are ultimately responsible for the custody of valuables and they, or their sheristedars in the case of Sessions Judges and District Magistrates, are required to keep the keys of the safes or boxes, the ministerial officials will necessarily have to handle the articles at various stages of trials; and in the opinion of the Chief Court, it is as well that a reasonable security, not exceeding Rs.300/- in the case of First Class Magistrates' Courts (to be increased to Rs.500/- for the City Magistrates' Courts) and Rs.200/- in the case of Second Class Magistrates' Courts should be prescribed in respect of such officials.

4. I am therefore to request that Government may be pleased to accord their sanction to the enclosed Rule of Practice proposed to be issued in the matter.

I have the honour to be,

S i r,

Your most obedient servant,

Eswariah

REGISTRAR.

12

5

IN THE CHIEF COURT OF MYSORE.

CRIMINAL SIDE.

Circular Letter No. 175, dated 31st March 1908.

To

The Sessions Judges and Magistrates.

Sir,

The following instructions issued by the Chief Court in regard to money and property in Criminal Courts should be strictly carried out :-

1. The Sessions Judge or Magistrate should personally examine Register No.IX and ascertain at the end of every month that all the articles shown as being in the custody of the Court are produced before him by the official of the Court who is responsible for their safe custody.

2. All gold or silver or other articles of value brought to the Court should be kept in iron safe (where one is provided) or in a secure box kept in the Treasury. The key of the safe or box should be kept by the Sheristadar in the Sessions Courts and by the District Sheristadar in the Courts of the District Magistrates and by the Magistrates in other Courts. The box should be opened only in the presence of the Magistrate or the Sessions Judge or the Sheristadar authorized to keep the key thereof.

3. Lists of property kept in the safe or box should be correctly maintained and the contents should be verified with the list at the beginning of each month.

4. Where there is any change of subordinate officials in immediate charge of any property, the Sessions Judge or Magistrate should

personally

6

personally satisfy himself that all the money and property due has been handed over, and countersign a record of handing over and receiving charge of property as per list made out.

5. A report should be made to the Chief Court at the close of the official year by the Sessions Judge that the money and property in charge of subordinate officials of his Court have been duly accounted for. In case of District Magistrates, such report should be made to the Sessions Judge and all other Magistrates should send similar reports to the District Magistrates.

I have etc.,

Sd/- V. A. Rajaratna Mudaliar,
Registrar.

"COPY"

REGISTRAR.

AV.

7

IN THE CHIEF COURT OF MYSORE AT BANGALORE.

CRIMINAL SIDE.

RULE OF PRACTICE NO..... DATED.....19 .

Under section 554 of the Code of Criminal Procedure, the Chief Court, with the previous sanction of the Government, issues the following rule for the guidance of Magistrates :-

" The Head Ministerial Officer of every court of a Magistrate shall give security either by bond with deposit of title-deeds of immoveable property or by deposit of cash or Government Promissory notes, the amount of the security being fixed at Rs.200/- in ~~the~~ case of the Courts of Special Magistrates Second Grade, at Rs.500/- in the case of the Courts of the City Magistrates of Mysore and Bangalore and Special Magistrate, Kolar Gold Fields, and at Rs.300/- in the case of all other Special Magistrates' Courts First Grade".

E Srinivasa

REGISTRAR.

AV.

G.R.S. VI–71]

SUBJECT Sanction to the Rule of Practice

Diary No. of letter replied to 12687

General and Revenue Secretariat

( )

, *the* 191

Date of issue 14/2

Signed by

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

Section

File No.

Serial No. 2

Proceedings of the Government of His Highness the Maharaja of **Mysore.**

Read—

Letter no. R.O.C. 1126/1918-19 8/10 dated from the Registrar, Chief Court of Mysore, Jan 7 1920, enclosing the rule of Practice proposed to be issued in the matter of requiring the Head ministerial Officer of every Court of a Magistrate to furnish Security in the manner detailed therein and requesting Government sanction for the issue of the same.

(Hereunder the R. of P.)

Order Thereon No. —

Sanctioned G 18643

To M/ 5/2

24/1/20.

For Chief Sec'y

To the Registrar, Chief Court of Mysore.

Ack 24/1 G 18643